IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: David E. Cooper Art Unit: 2661

Appln. No.: 10/787,258

Filed: February 27, 2004

For: DYNAMIC RESOURCE ALLOCATION IN PACKET DATA TRANSFER

PETITION TO MAKE SPECIAL

Assistant Commissioner of Patents
Washington, DC 20231

URGENT

Sir:

The Applicants respectfully petition that the above-captioned application be granted special status. The requirements of MPEP section 708.02(VIII) are complied with as follows:

(1) Please charge the petition fee set forth in 37 CFR 1.17(i) to Deposit Account No. 19-4375.

(2) All pending claims (new claims 13-24 submitted herewith in a Preliminary Amendment) are believed to be directed to a single invention; if the Office determines that all the claims presented are not obviously directed to a single invention, the Applicants agree to make an election without traverse as a prerequisite to the grant of special status.

(3) A pre-examination search has been made, and an Information Disclosure Statement directed thereto is attached. The field of search is:

Class 370, subclasses 252, 314, 321, 328, 329, 331, 332, 337 and 347; and

Class 455, subclasses 437, 442 and 453.

Examiners Hassan Kizou and William Trost were consulted for the field of search.

Also, a pre-examination search was made in the form of a GB search report dated July 30, 2003. This search report indicates that no relevant documents were located.

(4) One copy each of the prior art deemed most closely related to the subject matter encompassed by the claims is of record in the form of the art cited in the Information Disclosure Statement submitted herewith.

(5) The following is a detailed discussion of the prior art of record, pointing out how the instant claimed subject matter is patentably distinguishable thereover.

The M. Mouly et al. document is a textbook cited in the specification as providing a general description of the GSM system, but the textbook is believed to have no relevance to the details recited in the present claims.

The GSM 03.64 V 8.5 release 1999 document provides a description of the General Packet Radio System (GPRS). This document is believed to have no relevance to the details recited in the present claims. For packet data transmissions in GPRS, a number

of Packet Data Channels (PDCH) provide the physical communication links. The time division is by frames of 4.615 ms duration and each frame has eight consecutive 0.577 ms time slots. The slots may be used for uplink or downlink communication. Uplink communication is a transmission from the mobile station for reception by the network to which it is attached, while downlink communication is reception by the mobile station of a transmission from the network.

The GSM 05.08 10.1.1.2 document cited at page 4, line 13 of the specification discloses that the mobile station is not able instantly to switch between receive and transmit modes, and the required switch time is called turnaround time which depends on the mobile class. For class 12 mobiles, the turnaround time is one slot. The mobile station must also, in packet transfer mode, perform neighborhood cell measurements, continuously monitoring BCCH carriers as indicated by the BA(GPRS) list and the BCCH carrier of the serving cell. The mobile station takes a received signal level measurement sample in every TDMA frame, on at least one of the BCCH carriers.

US6321083 discloses adjacent cell measurement to determine dense areas of communication traffic in a cell. However, there is no disclosure of re-allocation of adjacent cell signal level

measurements between slots before a reception slot and a transmission slot.

US5493563 discloses a method and apparatus for mobile assisted handoff in a communication system. Measurement of the voice channels of adjacent cells are performed by mobile stations during time slots subsequent to their receive and transmission so that measurement during a time slot dedicated to a control channel related to the adjacent cells is not necessary. However, there is no disclosure of re-allocation of adjacent cell signal level measurements between slots before a reception slot and a transmission slot.

The references cited above, either alone or in combination, fail to disclose or suggest the present claimed features in the independent claims as follows:

(1) when a number of transmission slots used in one transmission frame is below a predetermined number, then the adjacent cell signal level measurement and the preparation for reception are performed in a period of two slots before a first reception slot, and when the number of transmission slots used in one transmission frame is the predetermined number, then the adjacent cell signal level measurement and the preparation for transmission are performed in a period of two slots before a first transmission slot (claim 13).

(2) when a number of transmission slots used in one transmission frame is a predetermined number and when there is not a time of two slots necessary for the adjacent cell signal level measurement and the preparation for reception after a last transmission slot, then the adjacent cell signal level measurement and the preparation for transmission are performed in a period of two slots before a first transmission slot (claim 16).

(3) only both when a number of transmission slots used in one transmission frame is equal to or greater than a predetermined number and when there is no time for performing the adjacent cell signal level measurement and the preparation for reception after a last transmission slot, then the adjacent cell signal level measurement is performed together with the preparation for transmission, and in other cases the adjacent cell signal level measurement is performed together with the preparation for reception (claim 19).

(4) when a number of transmission slots used in one transmission frame is below a predetermined number, then the adjacent cell signal level measurement and the preparation for reception are performed in a period of two slots before a first reception slot and when the number of transmission slots used in one transmission frame is the predetermined number, then the adjacent cell signal level measurement and the preparation for

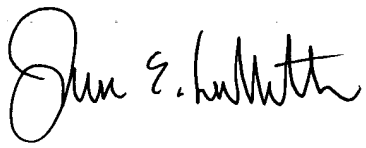
transmission are performed in a period of two slots before a first transmission slot (claim 22).

Applicants submit that the references discussed herein, considered alone or in combination, fail to disclose or suggest the above-noted claimed subject matter.

Therefore, in light of the foregoing discussion pointing out how the claimed invention distinguishes over the prior art of record, the Applicant respectfully submits that the inventions of claims 13-24 are not anticipated by these references and would not have been obvious over any combination thereof.

Grant of special status in accordance with this petition is respectfully requested.

Respectfully submitted,



Date: June 4, 2004

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